



8-10-06

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DAVID DOUGLAS WINTERS
B.S., M.S., D.LL., J.D.
PATENT ATTORNEY

1 *In The United States Patent and Trademark Office*

2 August 8, 2006

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4 Number: Appn. 10/700,255

5 Appn. Filed: 11/03/2003

6 Applicant: Roberts, Freddie Ray

7 Title: Internal combustion engine machine incorporating significant improvements in power,
8 efficiency and emissions control

9 Examiner: Harris, Katrina B.

10 Art Unit: 3747

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Remarks

12 PO Box 1450

13 Alexandria, VA 22313-1450

14 USA

15 Dear Madam:

16 In response to the Office Action mailed 06/20/2003 (enclosure 1) regarding
17 amendment filed on 29 December 2005 to the above application, the applicant accepts the
18 examiner's explanation that the amendment attempts to reinstate portions of the
19 specification which were never deleted, i.e. those portions concerning 9-12a. Accordingly,
20 applicant respectfully withdraws request to reinstate said portions of the specification.

21 In additional response to the aforementioned Office Action, applicant agrees that
22 amendment filed on 29 December 2005 to the above application also adds claims in
23 excess of the number previously paid for without payment of the full fee required.
24 Accordingly, applicant encloses herewith (enclosures 2 and 3) payment for five additional
25 dependent claims.

26 The applicant thanks the examiner for her time and constructive assistance in putting
27 the above application in grantable form, which action the applicant humbly solicits.

28 Very Respectfully,

30 David D. Winters
31 USPTO reg# 50,746

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10/700,255

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Roberts

08/11/2006 EFLORES 00000041 10700255

01 FC:2202

125.00 OP



1 Enclosures:
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- 3 1. USPTO Office Communication dated 06/20/2006.
4 2. Fee Transmittal.
5 3. Credit card authorization.
6 4. Return receipt post card.

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Certificate of Mailing

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"Express mail" mailing label number

EQ 506347168 US

Date of Deposit: 09 AUG 2006

I hereby certify that this correspondence, including the enclosures listed on the accompanying Office Action response is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to:

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Asa Stone

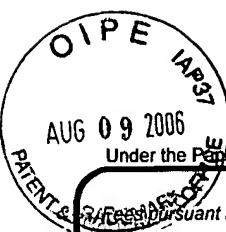
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Effective on 12/08/2004.

Pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL

For FY 2005

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)
 125.00
Complete if Known

Application Number	10/700,255
Filing Date	11/03/2003
First Named Inventor	Freddie Ray Roberts
Examiner Name	Harris, Katrina B.
Art Unit	3747
Attorney Docket No.	030403 (R) ROBERTS

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify): _____
 Deposit Account Deposit Account Number: _____ Deposit Account Name: _____

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

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FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

<u>Application Type</u>	<u>FILING FEES</u>		<u>SEARCH FEES</u>		<u>EXAMINATION FEES</u>		
	<u>Fee (\$)</u>	<u>Small Entity Fee (\$)</u>	<u>Fee (\$)</u>	<u>Small Entity Fee (\$)</u>	<u>Fee (\$)</u>	<u>Small Entity Fee (\$)</u>	<u>Fees Paid (\$)</u>
Utility	300	150	500	250	200	100	0
Design	200	100	100	50	130	65	0
Plant	200	100	300	150	160	80	0
Reissue	300	150	500	250	600	300	0
Provisional	200	100	0	0	0	0	0

2. EXCESS CLAIM FEESFee Description

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	<u>Multiple Dependent Claims</u>	<u>Small Entity Fee (\$)</u>
	31 - 20 or HP =	5	25.00	\$125.00	

HP = highest number of total claims paid for, if greater than 20.

<u>Indep. Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	<u>Multiple Dependent Claims</u>	<u>Fee (\$)</u>
	3 - 3 or HP =	0	0	0	0

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
- 100 =	/ 50 =	(round up to a whole number) x		0

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): _____

Fees Paid (\$)

0

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SUBMITTED BY

Signature		Registration No. (Attorney/Agent) 50,746	Telephone 931-906-4445
Name (Print/Type)	David D. Winters		Date 08/08/2006

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Enclosure 2



UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	RECEIVING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/700,255	11/03/2003	Freddie Ray Roberts	030403ROBERTS	3705
7590	06/20/2006		EXAMINER	
David Douglas Winters, Patent Attorney 2277-C, Suite 237 Wilma Rudolph Blvd Clarksville, TN 37040-5898			HARRIS, KATRINA B	
			ART UNIT	PAPER NUMBER
			3747	

DATE MAILED: 06/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Enclosure 1

Response to Rule 312 Communication	Application No.	Applicant(s)
	10/700,255	ROBERTS, FREDDIE RAY
	Examiner Katrina B. Harris	Art Unit 3747

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. The amendment filed on 29 December 2005 under 37 CFR 1.312 has been considered, and has been:

- a) entered.
- b) entered as directed to matters of form not affecting the scope of the invention.
- c) disapproved because the amendment was filed after the payment of the issue fee.
Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.
- d) disapproved. See explanation below.
- e) entered in part. See explanation below.

The proposed amendment filed on December 29, 2005 under 37 CFR 1.312 has not been entered. The amendment attempts to reinstate portions of the specification which were never deleted, *i. e.*, those portions concerning Figures 9-12a. The amendment also adds claims in excess of the number previously paid for without submission of the full fee required. MPEP 714.16(c).



Stephen K. Cronin
Primary Examiner
SPE 3747